

OCT 12 2004

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known	
Application Number	10/653,520
Filing Date	September 2, 2003
First Named Inventor	Kimmel et al.
Examiner Name	Ngoclan Thi Mai
Art Unit	1742
Attorney Docket No.	00138CIPCON (3600-360-01)

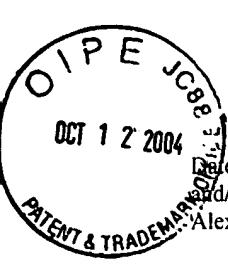
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ADDITIONAL FEES <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th></th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td colspan="2">Surcharge – late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td colspan="2">Surcharge – late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td colspan="2">Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td colspan="2">For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td colspan="2">Requesting publication of SIR prior to Examiner 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SUBMITTED BY <table border="1"> <thead> <tr> <th>Name (Print/Type)</th> <th>Luke A. Kilyk</th> <th>Registration No. (Attorney/Agent)</th> <th>33,251</th> <th>Telephone</th> <th>1-540-428-1701</th> </tr> </thead> <tbody> <tr> <td>Signature</td> <td></td> <td></td> <td></td> <td>Date</td> <td>October 8, 2004</td> </tr> </tbody> </table>				Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251	Telephone	1-540-428-1701	Signature				Date	October 8, 2004	Complete if applicable																																																																																																																																																																																																																							
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Date: October 8, 2004 I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail" service.

Donald S. Prater
Name (Print) Signature



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Donald S. Prater
Name (Print)

Donald S. Prater
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kimmel et al.) Examiner: Ngoclan Thi Mai
)
Application Number: 10/653,520) Group Art Unit: 1742
)
Filed: September 2, 2003) Confirmation No.: 3339
)
Docket No.: 00138CIPCON (3600-360-01))

For: MODIFIED OXYGEN REDUCED VALVE METAL OXIDES

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.97(c)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 8, 2004

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached. Since this application has a filing date after June 30, 2003, no copies of U.S. Patents/Patent Application Publications are provided.

This Information Disclosure Statement is being submitted after expiration of the three-month period following filing of the above-captioned application, but before any Final Office Action or Notice of Allowance.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. *See* 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application,

10/13/2004 SSESHE1 0000036 030060 10653520

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Supplemental Information Disclosure Statement
U.S. Patent Application No. 10/653,520

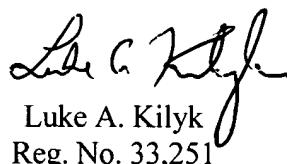
and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Please charge the fee of \$180.00 to Deposit Account No. 03-0060. If there are any other fees due in connection with the filing of this response, please charge the fees to Deposit Account 03-0060.

Respectfully submitted,



Luke A. Kilyk
Reg. No. 33,251

Atty. Docket No.: 00138CIPCON (3600-360-01)
KILYK & BOWERSOX, P.L.L.C.
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Warrenton, VA 20186
Tel.: (540) 428-1701
Fax: (540) 428-1720
Enclosures: PTO-1449, w/20 Documents



FORM PTO-1449 (REV. 7-80)			Atty. Docket No. 00138CIPCON (3600-360-01)	Application No. 10/653,520
INFORMATION DISCLOSURE STATEMENT			APPLICANT: Kimmel et al.	
			Filing Date: September 1, 2003	Group Art Unit: 1742

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE, IF APPROPRIATE
	3,962,715	06/08/76	Raccah et al.	357	2	
	4,118,727	10/03/78	Laplante	357	10	
	4,668,501	05/1987	Shibuta et al.	423	609	
	4,964,906	10/23/90	Fife	75	369	
	5,032,377	07/1991	Rademachers et al.	423	607	
	5,281,496	01/1994	Clarke	423	609	
	5,320,782	06/1994	Okuda et al.	423	609	
	5,688,730	11/1997	Bachelard et al.	501	96.1	
	2003/0170169 A1	09/11/03	Omori et al.	423	592.1	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	WO 98/19811	05/14/98	WIPO	B22F	1/00	
	1,123,015	08/07/68	GB	B22F	1/00	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Hiraoka et al., "Electrochemical Measurement of the Standard Free Energies of Formation of Niobium Oxides," Transactions ISIJ, Vol. 11, pp. 102-106 (1971)
	Baba et al., "Preparation and Chlorination of NbO ₂ , NbO and NbC," Journal Mining and Metallurgical Institute of Japan, Vol. 82, No. 942, pp. 855-860 (1966)
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	Mudrolyubov, "Production of tantalum capacitors in the C.I.S," Philadelphia meeting of the TIC, pp. 3-4 (1991)
	Andersson, "Die Bedeutung des Tantals in der Kondensatorindustrie," Erzmetall, Vol. 48, No. 6/7, pp. 430-434 (1995)
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	Schonberg, "Some Features of the Nb-N and Nb-N-O Systems," ACTA Chem. Scand., Vol. 8, pp. 208-212 (1954)
	Bauer, "The Oxides of Niobium," Zeitschrift fuer anorganische und allgemeine Chemie, Vol. 248, No. 1, pp. 15-45 (1941) (English translation)

	Gannon et al., "The Microstructure of Slightly Substoichiometric NbO ₂ ," Journal of Solid State Chemistry, Vol. 20, pp. 331-344 (1977)
	Schafer, "Über die Darstellung der Nioboxide und ihren Transport im Temperaturgefalle," Z. anorg. Allg. Chemie. Vol. 317, pp. 321-333, (1962) w/ partial English translation
	Mifune, et al., "Niobium Solid Electrolytic Capacitors," National Technical Report 1, 147, pp. 1-14, (1963) (English translation)
	Lapitskii, et al., "The formation of the lower oxides of niobium and tantalum in some reactions of reduction and oxidation," Zhurnal Neorganicheskoi Khimii, Vol. II, No. 1, pp. 80-91, (1957)
	Orlov et al., "Study of Oxygen Solubility in Niobium," Metally, No. 5, pp. 202-205 (1985)
	Brauer et al., "Mikrokristallines NbO," p. 1462, from HANDBUCH DER PRÄPARATIVEN ANORGANISCHEN CHEMIE w/ partial English translation
	Mellor, J.W., "A Comprehensive Treatise on Inorganic and Theoretical Chemistry," Vol. IX, pp. 895-896, 1947.
	Notice of Opposition for EP 1115658 B1 with English Translation filed April 2, 2004 by H.C. Stark GmbH
	Notice of Opposition for EP 1115658 B1 in English filed April 8, 2004 by Strawman Limited.
EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	